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SUBJECT: ESTONIA AMENDS LAW ON ALIENS TO CONFORM WITH
EU LONG-TERM RESIDENT DIRECTIVE

¶1. (U) Summary: The Estonian Parliament adopted an amendment to the Estonian Aliens Law on April 19, 2006. The updated law widens non-citizen residents' freedom of movement and employment in other EU countries, and has generated strong interest among Estonia's 135,000 mostly Russian-speaking "stateless" residents. The amendment harmonizes Estonian legislation with the EU directive on the status of third-country nationals who are long-term residents, which entered into force in January. Our interlocutors predict the measure may reduce the incentive for Estonia's remaining stateless residents to take steps necessary to naturalize. End summary.

¶2. (U) The EU directive (2003/109/EC) that deals with the status of non-EU country nationals living in EU member states has received growing attention in Estonia since late 2005, in particular from the mostly Russian-speaking 135,000 "stateless" residents. Under the directive, which took effect on January 23, 2006, nationals of third countries who acquire long-term resident status in a member state enjoy rights similar to EU citizens, including the right of residence in other member states (subject to existing limitations) for work and study.

¶3. (U) A draft law amending the Aliens Law passed a first reading in the Estonian Parliament in February, and a final reading on April 19. The law allows both permanent and temporary non-citizen residents to apply for the EU long-term residency status provided they (a) have lived in Estonia for 5 years prior to the application; (b) have stable and legal income; (c) have medical insurance. Current holders of permanent residence permits who meet the above conditions will automatically receive long-term residency status. The new status makes long-term EU residents equal to Estonian citizens except for the right to vote in parliamentary elections and to occupy a number of senior state positions.

¶4. (U) The second reading of the draft law in parliament motivated discussion on numerous questions related to the status of persons that currently have temporary residency permits in Estonia, many of whom are Soviet military pensioners. The EU directive does not set limitations on military pensioners; thus they can apply for long-term residency status unless found to be "endangering the Estonian statehood."

¶5. (U) The directive allows each member state to establish integration requirements -- such as language proficiency -- as a condition for receiving long-term resident status. Estonia has decided not to impose Estonian language requirements for applicants until June 1, 2007. After that time the GOE intends to test

applicants for a basic knowledge of the language, including understanding of everyday topics, ability to fill in forms, etc. The language requirement will not be imposed on: persons under 15 or over 65; persons that received basic, secondary, or higher education in the Estonian language; people with certain disabilities and those unable to take the language exam for reasons related to health problems.

¶6. (SBU) Comment: Transposition of the EU directive into Estonian law is a double-edged sword. On the one hand leaders of even the more strident Russian language-based parties tell us the measure makes the matter of Estonia's remaining 135,000 "stateless" residents a much less urgent issue. The leader of the newly-elected chairman of the Constitutional Party has dropped citizenship from his party's top three priorities. On the other hand, Integration Foundation and other GOE officials tell us they are concerned that the measure removes an important incentive for non-citizens to learn Estonian and take the citizenship test, steps they believe important to pushing forward with integration in its fullest meaning.

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